

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JACQUES RIVERA,)	
)	No. 12 C 4428
<i>Plaintiff,</i>)	
)	Hon. Joan B. Gottschall,
v.)	District Judge
)	
REYNALDO GUEVARA, <i>et al.</i> ,)	Hon. Mary M. Rowland,
)	Magistrate Judge
<i>Defendants.</i>)	
)	JURY TRIAL DEMANDED

PLAINTIFF’S POSITION PAPER ON JURY INSTRUCTIONS

Plaintiff JACQUES RIVERA, by his attorneys, respectfully submits the following position paper to assist the Court with unresolved jury-instruction issues, stating in support as follows:

1. Defendants’ Proposed Instruction No. 30 is withdrawn, and Defendants are considering withdrawing Defendants’ Proposed Instructions Nos. 2 and 15, given dismissal of Defendants and evidence that has come in at trial.
2. Plaintiff’s Proposed Instruction No. 26 should be edited to remove the bracketed language (“and during discovery in this case”).
3. With respect to Plaintiff’s Proposed Instruction No. 34, Plaintiff proposes that the second element should be revised to read: “The City of Chicago has a policy of concealing material exculpatory and/or impeachment evidence. The term ‘policy’ means: . . .” *See* Doc. No. 543 at 35.
4. With respect to Defendants’ Proposed Instruction No. 35, Plaintiff proposes that the second element should be revised to read: “The City of Chicago knew that exculpatory

and/or impeachment information would not be disclosed because there was a pattern of similar violations or because it was highly predictable even without a pattern of similar constitutional violations.” See Doc. No. 543 at 37.

5. Plaintiff intends to drop his claim for lost wages in Plaintiff’s Proposed Instruction No. 47 (paragraph 3).

6. Plaintiff is dropping his claim for punitive damages against Defendant McLaughlin.

Respectfully Submitted,

JACQUES RIVERA

By: /s/ Jon Loevy
One of Plaintiff’s Attorneys

Arthur Loevy
Jon Loevy
Russell Ainsworth
Anand Swaminathan
Steven Art
Rachel Brady
Sean Starr
LOEVY & LOEVY
311 N. Aberdeen St., Third Floor
Chicago, IL 60607
(312) 243-5900

Locke E. Bowman
David Shapiro
Alexa Van Brunt
RODERICK MACARTHUR JUSTICE CENTER
Northwestern University School of Law
375 E. Chicago Avenue
Chicago, Illinois 60611
(312) 503-0844

J. Samuel Tenenbaum
BLUHM LEGAL CLINIC
Northwestern University School of Law
375 E. Chicago Avenue
Chicago, Illinois 60611
(312) 503-8576

CERTIFICATE OF SERVICE

I, Jon Loevy, an attorney, hereby certify that on June 26, 2018, I filed the foregoing via the Court's CM/ECF system and thereby served a copy on all counsel of record.

/s/ Jon Loevy
One of Plaintiff's Attorneys